

From: Hershberger, Doug (CD)
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 7:43pm
Subject: Microsoft Settlement

I wish to register my objection to the proposed settlement in the Microsoft anti-trust lawsuit.

First, I believe that the settlement is too lenient. It does not adequately address the issue of leveling the playing field for other companies who do not have the benefit of Microsoft's monopoly. It is a slap on the wrist and a rather tepid one at that.

Second, I would like to specifically take issue with one point raised by the proposed settlement. Quoting Robert Cringely's article on the subject: <http://www.pbs.org/cringely/pulpit/pulpit20011206.html>

Section III(J)(2) contains some very strong language against not-for-profits. Specifically, the language says that it need not describe nor license API, Documentation, or Communications Protocols affecting authentication and authorization to companies that don't meet Microsoft's criteria as a business: "... (c) meets reasonable, objective standards established by Microsoft for certifying the authenticity and viability of its business, ..."

This is strictly unacceptable. access to APIs, documentation and communication protocols are essential for open source programmers, many of whom would not qualify as a business. There is no legitimate reason for this information to remain hidden. It only extends Microsoft's already stifling monopolizing stranglehold on the industry.

Thank you for your time.

Doug Hershberger
Bioinformatics Specialist
The Dow Chemical Company
(858) 352-4515
cdhershberger@dow.com